

**THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

LONNIE HAMPTON

Plaintiff,

v.

THE RAYMOND CORPORATION,

Defendant.

CIVIL ACTION FILE NO.
1:18-cv-00081-TWT

SCHEDULING ORDER

Upon review of the information contained in the Joint Preliminary Report and Discovery Plan form completed and filed by the Parties, the Court orders that the time limits for adding parties, amending the pleadings, filing motions, completing discovery, and discussing settlement are as stated in the above completed form, except as herein modified:

All fact and expert discovery shall be completed within **twelve (12) months** from the commencement of the discovery period for this case, consistent with the following deadlines:

- (1) The parties shall complete all fact discovery on or before **October 5, 2018**.

All discovery requests shall be served in time for the responses thereto to be served by this date.

- (2) With respect to fact discovery, the parties shall file motions to compel a disclosure or discovery on or before the later of **October 5, 2018**, or within fourteen (14) days after service of the disclosure or discovery response upon which the motion to compel is based.
- (3) The Plaintiff shall file and serve a document identifying by full name, address, and telephone number each person whom it expects to call as an expert at trial and certifying that a written report prepared and signed by the expert including all information required by Fed. R. Civ. P. 26(a)(2)(B) has been disclosed to other parties on or before **October 19, 2018**, with depositions of such experts to be completed on or before **November 30, 2018**.
- (4) The Defendant shall file and serve a document identifying by full name, address, and telephone number each person whom it expects to call as an expert at trial and certifying that a written report prepared and signed by the expert including all information required by Fed. R. Civ. P. 26(a)(2)(B) has been disclosed to other parties on or before **December 14, 2018**, with deposition of such experts to be completed on or before **January 25, 2019**.
- (5) The Plaintiff shall file and serve a document identifying by full name, address, and telephone number each rebuttal expert and certifying that a

written report prepared and signed by the expert including all information required by Fed. R. Civ. P. 26(a)(2)(B) has been disclosed to other parties on or before **February 8, 2019**, with deposition of such experts to be completed on or before **March 8, 2019**. Plaintiff's rebuttal experts and reports shall be limited to contradicting or rebutting new evidence on new subject matter identified in Defendant's disclosures.

- (6) The parties shall complete expert discovery no later than **March 8, 2019**.
- (7) With respect to expert discovery, the parties shall file motions to compel a disclosure or discovery on or before the later of **March 8, 2019**, or within fourteen (14) days after service of the disclosure or discovery response upon which the motion to compel is based. *See* LR 37.1(B).
- (8) On or before **March 22, 2019**, the parties shall arrange an in-person conference among lead counsel and at least one (1) person possessing settlement authority for each party to discuss settlement of this action. It shall be the responsibility of plaintiff's counsel to contact defense counsel to arrange a date for this conference. *See* LR 16.3.
- (9) All dispositive motions shall be filed on or before **April 8, 2019**. *See* LR 56.1(D).

- (10) In lieu of the disclosures required by Fed. R. Civ. P. 26(a)(3), the parties shall file a proposed consolidated pretrial order on or before the later of **April 8, 2019**, or thirty (30) days after entry of the Court's ruling on any pending motion for summary judgment, whichever is later. It shall be the responsibility of plaintiff's counsel to contact defense counsel to arrange a date for the pretrial conference. *See* LR 16.4(A).
- (11) The parties shall file and serve any motion(s) objecting to an expert's testimony based upon *Daubert v. Merrell Dow Pharms., Inc.*, 509 U.S. 579 (1993), on or before **April 8, 2019**. *See* LR 26.2(C).
- (12) The parties shall file and serve any motion(s) in limine on or before forty-five (45) days prior to trial. Responses to same are due fourteen (14) days after such motions are filed. Replies are due seven (7) days after any responses are filed.
- (13) Should the Defendants choose to present a confidentiality order, the Defendants shall provide Plaintiff with a draft of the confidentiality order on or before March 20, 2018. Plaintiff will respond to Defendants within one week after receiving Defendant's draft. If the parties are unable to come to an agreement as to the confidentiality order within one week of Plaintiff's response to the Defendant's initial proposal, Defendants will move the Court

for entry of a confidentiality order not more than ten days after Plaintiff rejects its last proposal.

IT IS SO ORDERED, this 12th day of March, 2018.

/s/Thomas W. Thrash

Honorable Thomas W. Thrash, Jr.
Chief United States District Judge